

Case No. 21-2263

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

Students for Fair Admissions, Inc.,
Plaintiff-Appellant

v.

University of North Carolina, et al.,
Defendants-Appellees

and

Cecilia Polanco, et al.,
Intervenors/Defendants

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
OPENING BRIEF AND APPENDIX**

In accordance with Federal Rule of Appellate Procedure 27 and Fourth Circuit Rule 31(c), Plaintiff-Appellant Students for Fair Admissions (SFFA) files this unopposed motion for a 30-day extension of time to file its opening brief and joint appendix, to and including February 9, 2022. In support thereof, SFFA respectfully shows the Court as follows:

1. SFFA's opening brief and joint appendix are currently due on January 10, 2022.

2. Good cause exists for SFFA's requested 30-day extension.

3. The attorney primarily responsible for drafting the opening brief and preparing the joint appendix for SFFA is J. Michael Connolly.

4. In addition to the Christmas and New Year's holidays, Mr. Connolly has multiple competing deadlines in other matters in the coming weeks.

5. Between now and January 10, Mr. Connolly has four additional appellate briefs due, two of which are due on January 10, the same day the opening brief and joint appendix in this case are due. *See Students for Fair Admissions v. President & Fellows of Harvard College*, No. 20-1199 (S. Ct.) (supplemental brief due in late December); *Students for Fair Admissions v. University of North Carolina*, No. 21-707 (S. Ct.) (reply brief due in late December); *Students for Fair Admissions v. University of Texas at Austin*, No. 21-50715 (5th Cir.) (reply brief due January 10, 2022); and *Speech First v. Sands*, No. 21-2061 (4th Cir.) (opening brief due January 10, 2022).

6. In addition, the briefing in this appeal will be a significant undertaking, as the district court issued a 155-page opinion after an eight-day trial.

7. SFFA conferred with counsel for UNC and the Intervenor Defendants-Appellees and confirms that no party opposes this extension.

8. The extension sought is in the interest of justice, not for delay, and no party will be prejudiced if the extension is granted.

CONCLUSION

For the foregoing reasons, SFFA respectfully moves that the time for filing its opening brief and joint appendix be extended 30 days, to and including February 9, 2022.

Respectfully submitted,

/s/ J. Michael Connolly

Thomas R. McCarthy

J. Michael Connolly

Cameron T. Norris

CONSOVOY MCCARTHY PLLC

1600 Wilson Blvd., Suite 700

Arlington, Virginia 22209

Telephone: (703) 243-9423

Email: mike@consovoymccarthy.com

*Counsel for Plaintiff-Appellant
Students for Fair Admissions, Inc.*

CERTIFICATE OF COMPLIANCE

I certify that this motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 342 words, excluding the parts of the motion exempted by Fed. R. App. P. 32(f). I further certify that this motion complies with the typeface and type-style requirements of Fed. R. App. P. 32(a)(5)-(6) because it has been prepared in a proportionally spaced 14-point Century Schoolbook font using Microsoft Word.

/s/ J. Michael Connolly

CERTIFICATE OF SERVICE

On December 16, 2021, I electronically filed the foregoing motion, which will notify all counsel of record.

/s/ J. Michael Connolly